

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

DIANNE S. WILSON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Cause: 2:05CV1227.F
	)	
DYNAMIC EDUCATIONAL	)	
SYSTEMS, INC., EXODYNE, INC.,	)	
and LESLIE HARRIS,	)	
	)	
Defendants.	)	

**JOINT MOTION TO CONTINUE**

COMES NOW Plaintiff, Dianne S. Wilson, and Defendants, Dynamic Educational Systems, Inc., Exodyne, Inc., and Leslie Harris, and pursuant to Rule 16(b) *Federal Rules of Civil Procedure* and for good cause shown herein, hereby requests the Court to Continue the trial of this case until the June 4, 2007 term of Court and correspondingly extend all applicable deadlines from the original scheduling order entered herein on February 15, 2006, and which is document number 12 in this case and in support thereof says as follows:

1.

The parties hereto have been working to prepare this case for trial. There is still extensive discovery to do and do to upcoming conflicts on the calendars of all parties neither party will be able to meet the deadlines previously set herein and will not be ready for trial as previously set herein. Among other matters, the defendants have been unable to set the deposition of the plaintiff, because the defendants wanted to obtain and review the file of the Equal Employment Opportunity Commission ("EEOC") before deposing the plaintiff. Defendants requested the file from the EEOC by letter dated March 13, 2006, and through several follow-up phone calls.

2.

This is the first request for a continuance of this case and the parties agree that the additional time requested should be sufficient to properly prepare this case for trial. Therefore, the parties do not foresee the need at this time for any further continuances.

3.

This motion is made in good faith at the request of all parties, for good cause and is not meant to unnecessarily hinder or delay these proceedings.

WHEREFORE, the parties hereto respectfully request the Court rule upon this Motion without a hearing or further response, and enter an Order (i) granting this Motion, (ii) setting trial for this case for the June 4, 2007 term of Court, and (iii) resetting all related deadlines (including without limitation the deadlines for filing dispositive motions and for discovery completion).

Respectfully submitted this 25<sup>th</sup> day of September, 2006.

/s/ Brian Mosholder  
Brian Mosholder (MOS-018)

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/s/ Carol Gerard  
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Defendants.	)	

**CERTIFICATE OF SERVICE**

This is to certify that a copy of the above and foregoing was served upon the below listed counsel of record by electronic filing with the Clerk of Court for the United States District Court for the Middle District of Alabama, Northern Division, on the 7th day of February, 2006.

Carol Gerard, Esq.  
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/s/ Brian Mosholder  
Brian Mosholder (MOS-018)  
ATTORNEYS FOR DYNAMIC  
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